

## AUCTIONEERS BOARD MEETING

### MINUTES

The Virginia Auctioneers Board met on January 21, 2010, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia, with the following members present:

Betty A. Bennett  
William C. Bryant, III  
George A. Daniel  
Erlita Joanne Wang

Staff present for all or part of the meeting were:

Jay W. DeBoer, Director  
Mark Courtney, Deputy Director  
Kathleen R. Nosbisch, Executive Director  
Marian H. Brooks, Board Administrator  
Amy Goobic, Administrative Assistant

Elizabeth Peay, Assistant Attorney General, was not present at the meeting.

Finding a quorum of the Board present, Mr. Daniel, Chair, called the meeting to order at 10:03 a.m.

#### **Call to Order**

Ms. Brooks advised the Board of the board room emergency evacuation procedures.

#### **Emergency Evacuation Procedures**

Mr. Bryant moved to approve the agenda. Ms. Wang seconded the motion which was unanimously approved by members: Bennett, Bryant, Daniel and Wang.

#### **Approval of Agenda**

Ms. Bennett moved to approve the minutes from the following meeting:

#### **Approval of Minutes**

- October 15, 2009, Auctioneers Board meeting

Mr. Bryant seconded the motion which was unanimously approved by members: Bennett, Bryant, Daniel and Wang.

**Public Comment Period** – Mr. Hugh Hildesley of Sotheby's New York was present to address the Board regarding their licensing request.

#### **Public Comment Period**

Board members reviewed correspondence received from Sotheby's New York regarding the license status of three auctioneers. Sotheby's has been

#### **Request from Sotheby's**

contracted to conduct a three day auction in June in Charlottesville. As the auctioneers who are to conduct the auction are not licensed in Virginia, they are requesting their educational background be approved as equivalent by the Board and to also be approved to sit for the auctioneer's exam. The company is in the process of obtaining the required business license.

After discussion, based on the review of the auctioneer's education provided by Mr. Hildesley, and in accordance with 18VAC25-21-20.3, the Board agreed that the education was equivalent to the requirements contained in the regulations. Mr. Bryant moved to approve their education and allow the auctioneers to sit for the Virginia auctioneers exam. The auctioneers must meet all of the requirements to obtain a Virginia license. Ms. Bennett seconded the motion. Mr. Daniel requested a roll call vote be made:

Call for vote (each member must answer "Aye" or "Nay"):

Betty Bennett  
Bill Bryant

George Daniel  
Joanne Wang

#### VOTE

AYES: 3

NAYS: [For each nay vote, the substance of the departure from the requirements of the Act should be described]

Mr. Daniel abstained from voting.

Board members were provided with a draft copy of the regulations with suggested changes. Ms. Brooks asked if there were any comments regarding the draft copy.

#### **Regulation Update**

Ms. Brooks informed the Board that as the NOIRA is set to expire in March, they would need to withdraw the NOIRA and refile, in order to allow more time to finalize changes to the regulations. Mr. Bryant moved to withdraw the NOIRA. Ms. Wang seconded the motion which was unanimously approved by members: Bennett, Bryant, Daniel and Wang.

Ms. Bennett moved to have Ms. Brooks refile the NOIRA. Mr. Bryant seconded the motion which was unanimously approved by members: Bennett, Bryant, Daniel and Wang.

Ms. Brooks stated that a more complete set of draft regulations would be provided at the April 22 board meeting.

The Board members were provided with a comprehensive report of enforcement activity since the last Board meeting.

**Comprehensive  
Report of Compliance  
and Investigations  
Divisions Activity**

The Board members were provided with the Board financial statements for informational purposes.

**Review of Financial  
Statements**

Mr. Daniel informed the Board that he had received a phone call from Mr. Curtis Prince, a representative of the NAA, and he felt there was confusion in the application process. Ms. Brooks will call Mr. Prince to clarify the matter.

**Other Business**

Conflict of Interest forms were completed by all members present.

**Conflict of Interest  
Forms**

There being no further business, the meeting was adjourned at 10:57 a.m.

**Adjourn**

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George Daniel, Chair

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Jay W. DeBoer, Secretary